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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/748,123	Applicant(s) BLUMENFELD, STEVEN M.	
	Examiner KENT WANG	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-36, 41, 42 and 44-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-36, 41-42 and 44-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 03/10/2009, have been entered and made of record. Claims 1-8, 10-36, 41-42, and 44-51 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8, 10-36, 41-42, and 44-51 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-3, 5, 17-18, 21, 23-25, 30-31, 34, 36, and 44-49 are rejected under 35 U.S.C. § 102(b) as being anticipated by Novais (US 7,321,387).

Regarding claim 1, Novais discloses a method of presenting a user with a multimedia experience corresponding to an entertainment event or venue (a system and process which enables viewers and/or attendees of entertainment events to order and obtain photographic products that are associated with the event, 1:8-12), the method comprising:

- managing a sensor array having at least two sensors that are each configured to provide a stream of data units (a camera system comprised of a series of remotely

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controlled cameras 10 located at different positions at the entertainment venue 12) (3:27-62);

- determining first locations for the sensors in the sensor array at a first time to provide first location information (i.e. a customer can choose to obtain a composite photograph 20 which includes a picture of the customer 22 in the stands of arena 12, Fig 2A) (3:63-4:12);
- enabling the user to perceive a map related to the entertainment event or venue (composite photograph 20 can further include captions or descriptive writing which can be personalized and/or include date, time, location, statistics etc, 26 that are pertinent to the game or event, Fig 2A) (4:13-16);
- enabling the user to perceive the first location of one or more of the sensors in the sensor array on the perceived map based on the first location information (the customer can be given the option to choose a preference and the images can be focused on the customer preferences) (3:63-4:12 and Figs 2A-2B);
- determining second locations for the sensors in the sensor array at a second time to provide second location information, the second locations being different from the first locations, and the second time being after the first time (i.e. a customer can choose to obtain a composite photograph 20 which includes a picture of a participant or participants 24 at the entertainment event, Fig 2A) (3:63-4:12);
- enabling the user to perceive the second location of the one or more of the sensors in the sensor array on the perceived map based on the second location information

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(the customer can be given the option to choose a preference and the images can be focused on the customer preferences) (3:63-4:12 and Figs 2A-2B);

- receiving a request from the user identifying a selected position within the perceived map (i.e. the composite photograph 20, Fig 2A); identifying one or more of the sensors in the sensor array corresponding to the selected position; and presenting to the user the multimedia experience based on one or more streams of data units associated with the identified one or more sensors (based on an imaging service package or photopackage selected by a customer, imaging system or controller 15 can control cameras 10 in a manner in which cameras 10 take photographs of the event as it occurs, as the selection process gives the customer the ability to personalize his photopackage by permitting the customer to input his or her preferences with regard to the participants at the event and the customer can choose to have his/her image 28 combined with a preexisting image 34 of the arena or stadium where the customer will be watching the event, thereafter, an image 30 of the participant taken during the event could be combined with the image 28 of the customer and the image 34 of the arena to form photographic product 32) (3:27-4:57 and 5:4-6:35).

Regarding claim 2, the limitations of claim 1 are taught above, Novais discloses more than one sensor in the sensor array is identified, and wherein presenting to the user the multimedia experience includes providing a multimedia experience based on streams of data received from the more than one identified sensors (based on an imaging service package or

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photopackage selected by a customer, imaging system or controller 15 can control cameras 10 in a manner in which cameras 10 take photographs of the event as it occurs) (3:27-62).

Regarding claim 3, the limitations of claim 1 are taught above, Novais discloses managing the sensor array includes operating multiple camera systems (imaging system or controller 15, Fig 1), the camera systems each including a video capture system and a location provider system (the camera system comprised of a series of remotely controlled cameras 10 located at different positions at the entertainment venue 12) (3:27-62).

Regarding claim 5, the limitations of claims 1 and 3 are taught above, Novais discloses operating the multiple camera systems includes operating two or more camera systems that provide video (the camera system could be comprised of a series of remotely controlled cameras 10 located at different positions at the entertainment venue 12) (3:27-62).

Regarding claim 17, this claim recites same limitations as claim 1. Thus it is analyzed and rejected as previously discussed with respect to claim 1 above.

Regarding claim 18, the limitations of claims 1 and 17 are taught above, Novais discloses notifying the user (i.e. the kiosk 17, Fig 3) about the availability of the better-matching sensor includes enabling the user to receive to the stream of data units from the better matching sensor (kiosk 17 can be enabled with a capture device in the form of an internal camera that captures images of a customer, as if the images are viewed at kiosk 17, selection of desired images by the customer can occur) (3:27-62 and 4:36-63).

Regarding claim 21, the limitations of claim 1 are taught above, Novais discloses presenting to the user the multimedia experience (i.e. Figs 2A-2B) includes combining the one or more stream of data units with other streams of data units from other sensors in the

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sensor array into a combined stream of data units and enabling the user to access the combined stream of data units (3:27-62).

Regarding claim 23, the limitations of claims 1 and 21 are taught above, Novais discloses combining the one or more stream of data units (the combination of the customer's captured image as shown in Fig 4A and other images of activity at the event) includes enabling presentation of a simulated view (a green screen 42, Fig 4A) from a location where no sensor is located (4:36-57).

Regarding claim 24, the limitations of claim 1 are taught above, Novais discloses presenting to the user the multimedia experience includes performing intermediary processing on the one or more streams of data units to generate an edited stream of data units and enabling the user to access the edited stream (as shown in Fig 4B, the customer's image 40 could be superimposed with images of fans 48 sitting in the stands to give the impression that the image was taken at the time of the action at the arena) (4:36-57).

As to claim 25, this claim differs from claim 1 only in that the claim 1 is a method claim whereas claim 25 is apparatus. Thus the apparatus claim 25 is analyzed and rejected as previously discussed with respect to claim 1 above.

Regarding claims 30 and 31, these claims recite same limitations as claims 17 and 18, respectively. Thus they are analyzed and rejected as previously discussed with respect to claims 17 and 18 above.

Regarding claims 34 and 36, these claims recite same limitations as claims 21 and 23, respectively. Thus they are analyzed and rejected as previously discussed with respect to claims 21 and 23 above.

Regarding claim 44, Novais discloses a method of presenting a user with a multimedia experience corresponding to a venue, the method comprising:

- managing a first sensor and a second sensor (a camera system comprised of a series of remotely controlled cameras 10 located at different positions at the entertainment venue 12) (3:27-62);
- determining, at a first time, a first location of the first sensor and a first location of the second sensor (i.e. a customer can choose to obtain a composite photograph 20 which includes a picture of the customer 22 in the stands of arena 12, Fig 2A) (3:63-4:12);
- enabling display (the composite photograph 20, Fig 2A), to a user, of a map related to the venue (3:63-4:12);
- enabling display (the composite photograph 20, Fig 2A), to the user, of the first sensor's first location and the second sensor's first location on the map related to the venue (i.e. a customer can choose to obtain a composite photograph 20 which includes a picture of the customer 22 in the stands of arena 12, Fig 2A) (3:63-4:12);
- determining, at a second time, a second location of the first sensor and a second location of the second sensor, wherein the second time is after the first time (i.e. a customer can choose to obtain a composite photograph 20 which includes a picture of a participant or participants 24 at the entertainment event, Fig 2A) (3:63-4:12),

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- the first sensor's second location is different from the first sensor's first location, and the second sensor's second location is different from the second sensor's first location (Fig 1 illustrates the camera system comprised of a series of remotely controlled cameras 10 located at different positions at the entertainment venue 12) (3:27-62 and Fig 1);
- enabling display (the composite photograph 20, Fig 2A), to the user, of the first sensor's second location and the second sensor's second location on the map (20) related to the venue (i.e. a customer can choose to obtain a composite photograph 20 which includes a picture of a participant or participants 24 at the entertainment event, Fig 2A) (3:63-4:12);
- receiving a request, from the user, identifying one of the first sensor and the second sensor; and enabling display, to the user, of the multimedia experience based on one or more streams of data received from the identified one of the first sensor and the second sensor (based on an imaging service package or photopackage selected by a customer, imaging system or controller 15 can control cameras 10 in a manner in which cameras 10 take photographs of the event as it occurs, as the selection process gives the customer the ability to personalize his photopackage by permitting the customer to input his or her preferences with regard to the participants at the event and the customer can choose to have his/her image 28 combined with a preexisting image 34 of the arena or stadium where the customer will be watching the event, thereafter, an image 30 of the participant taken during the event could be combined with the image 28 of the customer and

the image 34 of the arena to form photographic product 32) (3:27-4:57 and 5:4-6:35).

Regarding claim 45, the limitations of claim 44 are taught above, Novais discloses the first sensor's second location is different from the first sensor's first location, and the second sensor's second location is different from the second sensor's first location (the camera system could be comprised of a series of remotely controlled cameras 10 located at different positions at the entertainment venue 12) (3:27-4:12);

Regarding claim 46, the limitations of claim 44 are taught above, Novais discloses enabling display (the composite photograph 20, Fig 2A), to the user, of the first sensor's second location and the second sensor's second location on the map related to the venue includes removing, from the map, the first sensor's first location and the second sensor's first location (the camera system could be comprised of a series of remotely controlled cameras 10 located at different positions at the entertainment venue 12) (3:27-4:16).

Regarding claim 47, the limitations of claim 1 are taught above, Novais discloses the sensor array includes managing a camera system, the camera system including a video sensor and an audio sensor (the photopackage may include multimedia content, for example, the photopackage may be a DVD disk with sound and video in addition to still images) (6:4-10).

Regarding claim 48, the limitations of claim 1 are taught above, Novais discloses enabling the user to perceive the map includes enabling display, to the user, of the relative orientation and scale of physical elements of the entertainment event or venue, other than the streams of data units associated with the sensors in the sensor array (as the system captures images of the customer as he observes the event, the kiosk 17 at the arena or stadium offers

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choices of imaging services to a customer through a display screen 52 and a customer input section 50 on kiosk 17) (4:36-57 and Fig 3).

Regarding claim 49, this claim recites same limitations as claim 48. Thus it is analyzed and rejected as previously discussed with respect to claim 48 above.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 4, 10-12, and 41-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Novais (US 7,321,387) in view of Valleriano (US 2005/0093976).

Regarding claim 4, the limitations of claim 1 are taught above, Valleriano does teach determining locations for the sensors in the sensor array (digital video cameras 20, Fig 1) includes using the location provider system of each of the camera systems to determine location information (position information) using a Global Positioning system receiver (a GPS technologies) ([0056], Valleriano).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the GPS technologies as taught by Valleriano into Novais' video viewing and recording system, so as to easily determine where a camera is located and the direction of its line of sight ([0056], Valleriano).

Regarding claim 10, the limitations of claim 1 are taught above, Valleriano does teach determining the location for the sensor (camera position) includes determining the location (three-dimensional location data) relative to an architectural structure (tracking system 80)

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for the sensor in an entertainment venue (a sports event such as a soccer game) ([0057], Valleriano).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the tracking system as taught by Valleriano into Novais' video viewing and recording system, so as to easily correlate asynchronously captured event data and images in a three dimensional volumetric space on a playing field ([0014]-[0015], Valleriano)

Regarding claim 11, the limitations of claim 1 are taught above, Valleriano does teach using the location for the sensor (camera position) in the entertainment venue (a sports event such as a soccer game) to determine metadata descriptive (i.e. camera ID, photographer ID, camera line-of-sight data and a field of view, Fig 1) of the entertainment experience ([0055], [0057], Valleriano).

Regarding claim 12, the limitations of claim 1 are taught above, Valleriano does teach enabling the user to perceive and relating the perceived map includes using metadata (i.e. camera ID, photographer ID, camera line-of-sight data and a field of view, Fig 1) to describe the user experience associated with the sensor ([0055], [0057], Valleriano).

Regarding claims 41 and 42, these claims recite same limitations as claim 4. Thus they are analyzed and rejected as previously discussed with respect to claim 4 above.

7. Claims 14-16, 19-20, 27-29 and 32-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Novais (US 7,321,387) in view of McClintock (US 5,598,208).

Regarding claim 14, the limitations of claim 1 are taught above, Novais does not disclose determining a permission level for the user. However, McClintock discloses determining a

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permission level for the user (the remote control 116 which regulates access to each compartment as each user would pay in order to gain access to the system) (8:18-31, McClintock).

Thus, it would have been obvious to one of ordinary skill in the art to have included the access control as taught by McClintock into Novais' communication apparatus, as to provide a as such a control of programming means via wireless transmission with sensors which are coupled to a video system at various locations throughout the event venue (8:18-31, McClintock).

Regarding claim 15, the limitations of claims 1 and 14 are taught above, Novais does not disclose determining the permission level includes determining a level of access to which the user has subscribed. However, McClintock discloses determining the permission level includes determining a level of access to which the user has subscribed (each user could be supplied with a code index which informs the user of a unique identification code to join in the action) (7:47-66, McClintock).

Regarding claim 16, the limitations of claims 1 and 14 are taught above, Novais does not disclose determining the permission level includes identifying sensors. However, McClintock discloses determining the permission level (regulates access) includes identifying sensors (coupled to a video system at various locations throughout the event venue) that are accessible and inaccessible to the user, and regulating access (regulates access) by the user in response to the permission level (user would key in with the remote control 116, Fig 6B) (8:18-31, McClintock).

Regarding claim 19, the limitations of claims 1 and 17 are taught above, Novais does not disclose notifying the user about the availability of the better-matching sensor. However, McClintock discloses notifying the user about the availability of the better-matching sensor (video camera) includes enabling the user to upgrade a permission level so that the user may receive a stream of data units from the better matching sensor (each user would pay in order to gain access to the system)(7:47-66, McClintock).

Regarding claim 20, the limitations of claims 1 and 14 are taught above, Novais does not disclose determining that the permission level supports access to the stream of data units from the better-matching sensor before enabling access to the stream of data units from the better matching sensor. However, McClintock discloses determining that the permission level supports access (regulates access) to the stream of data units from the better-matching sensor before enabling access to the stream of data units from the better matching sensor (receive an overair broadcast video signal from each of cameras) (9:54-10:5 and 10:28-44, McClintock).

Regarding claims 27, 28, 29, and 33, these claims recite same limitations as claims 14, 15, 16, and 20, respectively. Thus they are analyzed and rejected as previously discussed with respect to claims 14, 15, 16, and 20 above.

Regarding claim 32, this claim recites same limitations as claim 19. Thus it is analyzed and rejected as previously discussed with respect to claim 19 above.

8. Claims 8, 13, 26 and 50-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Novais (US 7,321,387) in view of Bernardo (US 2002/0047895).

Regarding claim 8, the limitations of claim 1 are taught above, Novais does not disclose the sensor array includes managing more than one type of sensor. However, Bernardo

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discloses the sensor array includes managing more than one type of sensor ([0033], Bernardo).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the image acquisition device as taught by Bernardo into Novais' video viewing and recording system, so as the video images may be recorded on optical, magnetic, or silicon video tapes, or on any other known types of storage devices that allow random access of particular image frames and particular video pixels within the image frames ([0033], Bernardo).

Regarding claim 13, the limitations of claim 1 are taught above, Novais does not disclose enabling the user to perceive the map and relating the perceived map. However, Bernardo discloses enabling the user to perceive the map and relating the perceived map (retrieved composite image and map) includes generating a web page (a particular web page Fig 16) enabling the user to navigate among the sensors (video camera) in the sensor array (digital video cameras 10) and to select one or more of the sensors in the sensor array ([0083]-[0086], Bernardo).

Thus, it would have been obvious to one of ordinary skill in the art to have included the web page as taught by Bernardo into Novais' video viewing and recording system, as to provide a hyperlink for retrieving and displaying the composite images and association information preferably on a separate browser window ([0086], Bernardo).

Regarding claim 26, this claim recites same limitations as claim 13. Thus it is analyzed and rejected as previously discussed with respect to claim 13 above.

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Regarding claims 50 and 51, these claims recite same limitations as claim 13. They are analyzed and rejected as previously discussed with respect to claim 13 above.

9. Claims 6, 22 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Novais (US 7,321,387) in view of Ritchey (US 5,495,576).

Regarding claim 6, the limitations of claim 1 are taught above, Novais does not explicitly disclose managing the sensor array and associating the location information includes operating multiple microphone systems, where the microphone systems include a sound capture system and a location provider system. However Ritchey does teach managing the sensor array (sensor array 36, Fig 5) and associating the location information (sensors location) includes operating multiple microphone systems (microphones 39a-39f, Figs 4-5), where the microphone systems (microphones 39a-39f,) include a sound capture system (acoustical system) and a location provider system (10:17-30 and 13:24-60, Ritchey).

Thus, it would have been obvious to one of ordinary skill in the art to have included the acoustical system as taught by Ritchey into Novais' video viewing and recording system, as to provide a multimedia system which could performing a spherical acoustical field of regard coverage about a location (13:25-61, Ritchey).

Regarding claim 22, Ritchey discloses combining the one or more streams of data units includes presenting a three dimensional presentation (three-dimensional computer generated model that comprises the virtual reality system presented to a participant) (7:30-54, Ritchey).

Thus, it would have been obvious to one of ordinary skill in the art to have included the three dimensional presentation as taught by Ritchey into Novais' imaging system, as to

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provide a virtual reality/telepresence panoramic three dimensional images associated a three dimensional audio systems (7:30-54, Ritchey).

Regarding claim 35, this claim recites same limitations as claim 22. Thus it is analyzed and rejected as previously discussed with respect to claim 22 above.

10. Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Novais (US 7,321,387) in view of Ritchey, and further in view of Bernardo (US 2002/0047895).

Regarding claim 7, the limitations of claims 1 and 6 are taught above, Novais and Ritchey do not explicitly disclose operating the multiple camera systems includes using the location provider system of the microphone system to determine location information using at least one of a Global Positioning system receiver, a gyroscope, and a local beacon. However Bernardo does teach operating the multiple camera systems (digital video cameras 10, Fig 1) includes determining location information (position information) using at least one of a Global Positioning system receiver (a GPS receiver 16, Fig 1), a gyroscope, and a local beacon ([0033]-[0034], Bernardo).

Thus, it would have been obvious to one of ordinary skill in the art to have included the GPS receiver as taught by Bernardo into Novais and Ritchey's video viewing and recording system, as to provide a more accurate calculation of the position information ([0034], Bernardo).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

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- Foote et al. (US 7,015,954) provide a camera array captures plural component images which are combined into a single scene from which "panning" and "zooming" within the scene are performed;
- Kato et al. (US 6,697,105) provide a camera control system for selecting one camera from among a plurality of controllable cameras connected in a network and for making it possible to display video from the camera and to control the camera is adapted to display a map;
- Kadosawa (US 4,566,036) discloses a remote control apparatus provided with a plurality of universal heads supporting cameras thereon and effecting panning and tilting of the cameras;
- Abrams et al. (US 2002/0138847) provide methods and systems for preserving and communicating live views of a remote physical location over a computer network; and
- Okada et al. (US 6,954,224) disclose a camera capable of capturing most quickly an image situated at a desired location in a case where the camera control system is equipped with a plurality of cameras and where one or more of the cameras are controlled.

Inquiries

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

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13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan V Ho/

Primary Examiner, Art Unit 2622

KW

15 April 2009